LAW OFFICES

## BALLARD SPAHR ANDREWS & INGERSOLL, LLP

BANK OF AMERICA PLAZA

300 SOUTH FOURTH STREET, SUITE 1201

LAS VEGAS, NEVADA 89101-6018

702-471-7000 FAX: 702-471-7070

WWW.BALLARDSPAHR.COM

PHILADELPHIA, PA
BALTIMORE, MD
DENVER, CO
SALT LAKE CITY, UT

VOORHEES, NJ WASHINGTON, DC WILMINGTON, DE

MAREN PARRY

DIRECT DIAL: (702) 471-7000 PERSONAL FAX: (866) 381-5357 E-MAIL: PARRYM@BALLARDSPAHR.COM

August 7, 2006

Margo Wheeler
Director
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER
731 South 4th Street
Las Vegas, NV 89101

Re:

A.O. Bonanza Holdings, LLC/Aquitania

Justification Letter for Extension of Time for Z-0046-02

Dear Ms. Wheeler:

In order to provide the additional time necessary to exercise the C-1 zoning approved by the City Council on DATE, A.O. Bonanza Holdings, LLC respectfully requests a second extension of time to Z-0046-02. A tentative map, application TM-15044, has been filed and is currently scheduled for consideration at the August 24, 2006 Planning Commission meeting. Although we do not anticipate the filing of the Final Map to occur too far down the road, to protect my clients' extensive investment in the redevelopment of this section of downtown, a second extension will give the developer a certain amount of confidence that the zoning for the property will not expire.

A request to change the zoning on parcels numbered 139-27-810-002 through 004, and 139-27-712-046 through 51 from R-1 to C-1, and parcels 139-27-810-001 and 139-27-707-008 from C-M to C-1 was initially approved on November 20, 2002 in anticipation of the development of the 256-unit Golden Age Leisure Villas Senior Center in conjunction with a Special Use Permit (U-0114-02) and Site Development Plan Review (Z-0046-02(1)). Due to litigation surrounding the propriety of the approval of these applications, the property owner was granted a first extension of time in November of 2004, EOT-5402, to allow the issues to be resolved before further pursuing development. When it became clear that these issues could not be resolved, the applicant brought forward the current plans for The Aquitania, a 296-unit mixed use development with approximately 34,700 square feet of commercial space. A second

EOT-15724 09-20-06 CC Margo Wheeler August 7, 2006 Page 2

round of litigation ensued which further delayed the commencement of construction, but a recent settlement has allowed the project to again move forward.

The Aquitania continues to conform to the use and density classifications of the General Plan, and is consistent with the pattern of development in the area. The project, in addition to other mixed use project approved in the area, will provide affordable and conveniently located residences in the downtown area, and bring much-needed commercial services to the neighborhood. The plans for The Aquitania were approved by the City Council on November 30, 2005 as applications SDR-8649, VAR-8651, and SUP-8814 based on the C-2 zoning, and will complement the Council's vision to revitalize the downtown area

If you have any questions about this application, or need any additional information, please do not hesitate to contact me at the above number.

Sincerely,

Mally Paily
Maren Parry

MP/wmj Enclosure